

Ref.

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

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Secretary to the Commission

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DECLARATION 5

On the grant to the International Commission
on Zoological Nomenclature of plenary powers
to suspend the rules in certain cases

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION OF THE COMMISSION AT THE TIME OF THE ADOPTION OF DECLARATION 5

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Secretary : Dr. Charles Wardell Stiles (U.S.A.).

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Class 1913

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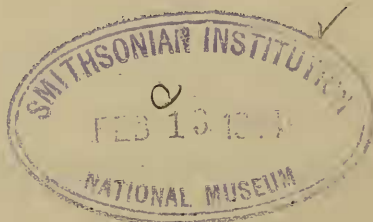
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Dr. Peter Chalmers MITCHELL (United Kingdom).

Dr. Charles Wardell STILES (U.S.A.) (*Secretary to the Commission*).



DECLARATION 5.

ON THE GRANT TO THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE OF PLENARY POWERS TO SUSPEND THE RULES IN CERTAIN CASES.

Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913 conferring plenary powers upon the International Commission on Zoological Nomenclature to suspend the rules in the International Code of Zoological Nomenclature in certain cases.

1. RESOLVED.—That plenary power is herewith conferred upon the International Commission on Zoological Nomenclature, acting for this Congress, to suspend the Règles as applied to any given case, where in its judgment the strict application of the Règles will clearly result in greater confusion than uniformity,

- (a) *provided*, however, that not less than one year's notice shall be given in any two or more of the following publications namely, *Bulletin de la Société zoologique de France*, *Monitore zoologico*, *Nature*, *Science* (New York), and *Zoologischer Anzeiger*, that the question of a possible suspension of the Règles as applied to such case is under consideration, thereby making it possible for zoologists, particularly specialists in the group in question, to present arguments for or against the suspension under consideration ; and
- (b) *provided*, also, that the vote in Commission is unanimously in favor of suspension ; and
- (c) *provided*, further, that if the vote in the Commission is a two-thirds majority of the full Commission, but not a unanimous vote in favor of suspension, the Commission is hereby instructed to report the facts to the next succeeding International Congress ; and

2. RESOLVED.—That in the event that a case reaches the Congress, as hereinbefore described, with a two-thirds majority of the Commission in favor of suspension, but without unanimous report, it shall be the duty of the President of the Section on

Nomenclature to select a special Board of 3 members, consisting of one member of the Commission who voted on each side of the question and one ex-member of the Commission who has not expressed any public opinion on the case, and this special Board shall review the evidence presented to it, and its report, either majority or unanimous, shall be final and without appeal, so far as the Congress is concerned ; and

3. **RESOLVED.**—That the foregoing authority refers in the first instance and especially to cases of the names of larval stages and the transference of names from one genus or species to another ; and

4. **RESOLVED.**—That the Congress fully approves the plan that has been inaugurated by the Commission of conferring with special committees from the special group involved in any given case, and that it authorizes and instructs the Commission to continue and extend this policy.

During the concluding stages of their Session held at Monaco in March 1913 the International Commission on Zoological Nomenclature drew up and presented to the Ninth International Congress of Zoology a "Supplemental Report" in continuation of the main report which earlier they had agreed to submit to the Congress. This "Supplemental Report" was prepared to meet certain views that had been expressed, and to harmonise certain difficulties that had arisen, in the Section on Nomenclature during the discussion of the Commission's main report.

2. The "Supplemental Report", the paragraphs of which were numbered continuously with those of the main report, consisted of eight paragraphs (paragraphs (109) to (116)). Paragraphs (109) to (112) read as follows :—

(109) SUPPLEMENTAL REPORT

[(110). After the foregoing Report was prepared, an additional proposition was submitted to the Commission that had been adopted by the Section on Nomenclature.¹ This proposition, however, after presentation of the foregoing and this Supplemental Report, the Section voted to

¹ The surviving records of the proceedings at Monaco of the International Commission on Zoological Nomenclature are incomplete. So also is the official (and only surviving) record of the proceedings of the Section on Nomenclature of the Ninth International Congress of Zoology. In particular, it has been found impossible to trace a copy of the text of the proposition adopted at one stage, and later withdrawn, by the Section on Nomenclature, to which reference is made in paragraph (110) of the Commission's "Supplemental Report". This is unfortunate since clearly this

reconsider and upon such reconsideration the Section approved in its place the resolutions presented in this Supplemental Report.—C.W.S.]

[(111). In presenting this Supplemental Report, the Secretary made a verbal statement to the effect that these resolutions were not completed until after the foregoing report had been adopted by the Commission, hence they could not be included in the regular Report. They were in fact not completed until the morning of the last day of the Congress. Prior to the meeting of the Section on Nomenclature, most of the members of the Commission had approved the resolutions, and the Section took a recess in order to permit the other Commissioners to consider them. All Commissioners approved the Resolutions and the Secretary was instructed to present them to the Section and the Congress as a Supplemental Report. From a parliamentary point of view, they are accepted by the Commission as addition to the subject discussed in paragraph (102) of the Report and as substitute for several of the proposals that had been presented as amendments to the Code. The subject matter was first presented to the Commission during its Graz meeting, and since that time has been under more or less consideration. It was discussed during the Monaco (1913) meeting of the Congress, but the form of the proposition was not agreed upon until immediately prior to its presentation at the joint session of the Commission and of the Section on Nomenclature.—C.W.S.]

(112). The Commission unanimously recommends to the Congress the adoption of the following Resolutions.

(Here follow in paragraphs (113) to (116) the four portions of the Resolution set out at the head of the present Declaration.)

3. The *Comptes Rendus* of the Ninth International Congress contain (on pp. 891–894) a note headed “Action of the Section on Nomenclature and of the Congress on the foregoing Reports” [*i.e.* the main and Supplemental Reports submitted by the International Commission on Zoological Nomenclature]. The following extracts show the action taken on the Commission’s “Supplemental Report” :—

The Secretary reported that he was under instructions from the Commission to present to the meeting the Report and a Supplemental Report of the Commission.

Following the reading of the regular Report, the meeting took a short recess to enable certain members of the Commission to examine and vote on the Supplemental Report. After the meeting was again called to order, the Supplemental Report was read.

The Secretary requested the adoption of the Reports as a whole, explaining that this adoption did not carry with it the approval of the separate recommendations. Upon motion, and second, the Reports were adopted.

The Secretary requested action on those paragraphs that involved

proposition exercised a considerable influence on the International Commission and contributed largely to their decision to invite the Congress to confer plenary powers upon the Commission to suspend the rules in certain cases. The only published account of the origin and development of the proposal to confer these plenary powers upon the International Commission is that compiled from such sources as are available by the present Secretary to the International Commission which appeared in May 1943 (Hemming, 1943, *Bull. zool. Nomencl.* 1 : xvii–xxi).

recommendations, nominations, and resolutions. Acting upon each subject separately, the joint meeting,² upon motion and second, *approved* the following paragraphs separately:

“ . . . (II3, II4, II5, II6).

4. The following is the text (as set out in the *Comptes Rendus*) of the final Concilium Plenum held at Monaco on 31st March 1913, at which the Ninth International Congress of Zoology took into consideration the proposals submitted by the International Commission on Zoological Nomenclature and the action thereon taken by the Section on Nomenclature:—

At the afternoon General Session, the Secretary of the Commission reported in English upon the resignations, nominations, amendments and resolutions, recommended by the Commission, and approved by the Section on Nomenclature, but he did not read the report in full.

The President of the Commission gave a resume of the subject in French, translating most portions of the Resolutions verbatim, and adding certain explanatory remarks.

All matters involved were voted upon by the General Session, *en bloc* and without discussion (which it had been decided should be confined to the meeting of the Section). Against only four dissenting votes, all the subject matter in question was adopted and approved.

5. The decision by the International Commission on Zoological Nomenclature to recommend to the Ninth International Congress of Zoology the Resolution set out in the present *Declaration* was concurred in by all the nine (9) Commissioners³ present at the Monaco Session of the International Commission, namely:—

Allen; Blanchard; Dautzenberg; Hartert; Hoyle; Jentink; Monticelli; Stejneger; and Stiles.

6. The following six (6) Commissioners were not present at the Monaco Session and did not therefore vote on the Resolution dealt with in the present *Declaration*:—

Apstein; Dollo; Jordan (D. S.); Ludwig; Mitchell; and Schulze.

² This meeting opened as a meeting of the Section on Nomenclature; but at the outset of the proceedings Dr. Stiles, as Secretary to the Commission, “ invited attention to the fact that the By-Laws of the Commission provided for an open meeting of the Commission, and he moved that the present meeting of the Section resolve itself into a Joint Meeting of the Commission and of the Section, in order to comply with the provision in question.” The *Comptes Rendus* add that “ Upon second, this motion prevailed.”

³ There were two Alternates (Dr. K. Jordan and Hon. Walter (later Lord) Rothschild) at the Monaco Session of the International Commission, but on that occasion Alternates attended only in an advisory capacity and were not accorded full voting rights.

CERTIFICATE :

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, hereby CERTIFY that the present *Declaration* has been compiled from the records of the Proceedings of the International Commission on Zoological Nomenclature at their Session held at Monaco in March 1913 during the Ninth International Congress of Zoology.

FRANCIS HEMMING

*Secretary to the International Commission
on Zoological Nomenclature*

Secretariat of the Commission,
at the British Museum (Natural History),
Cromwell Road, LONDON, S.W.7.

14th June 1943.

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

Bulletin of Zoological Nomenclature

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of :—

- (a) proposals on zoological nomenclature submitted to the Commission for deliberation and decision ;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above : and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

Three Parts have so far been published : Part 1 (introductory, including an account of the functions and powers of the Commission and a summary of the work so far achieved) ; Part 2 (relating to the financial position of the Commission) ; Part 3 (containing the official records of the decisions taken by the Commission at their meeting at Lisbon in 1935).

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

Volume 1 will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). Parts 1-5 (containing *Declarations* 1-5) have now been published.

Volume 2 commences with *Declaration* 10 and *Opinion* 134. Parts 1-15 (containing *Opinions* 134-148) have so far been published. The titles of these *Opinions* are given on the wrappers to Parts 1 and 2 of the *Bulletin*. Other Parts will be published shortly.

AN URGENT APPEAL FOR A FUND OF £1800 TO ENABLE THE INTERNATIONAL COMMISSION TO CONTINUE ITS WORK

The International Commission on Zoological Nomenclature urgently appeal for grants to the above Fund to Museums, Research Institutes and other Institutions concerned with any branch of zoology ; to Learned Societies and Associations concerned with any aspect of zoology ; to Institutions and Learned Societies in the fields of Agriculture, Horticulture, Medicine and Veterinary Science, all of whom have a direct interest in that portion of the work of the Commission which is concerned with the stabilisation of Zoological Nomenclature ; to University and other Departments engaged in the teaching of zoology as being directly interested to secure stability in the scientific nomenclature used in biological text-books ; and to every individual zoologist who may be in a position to contribute to the funds of the Commission. Full particulars of the purposes for which the above Fund is required are given in Part 2 of the *Bulletin of Zoological Nomenclature*.

Contributions of any amount, however small, will be most gratefully received. They should be addressed to the Commission at their Publications Office, 41, Queen's Gate, London, S.W.7. Bankers' drafts, cheques, and Postal Orders, should be made payable to the "International Commission on Zoological Nomenclature" and crossed "Account payee. Coutts & Co."

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